

E-Filed 3/5/13

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PETER GONZALEZ,
Petitioner,

No. C 13-0095 RS (PR)

ORDER OF DISMISSAL

v.

STATE OF CALIFORNIA,
Respondent.

This is a federal habeas corpus action. Petitioner was ordered to, within 30 days, (1) file a complete application to proceed *in forma pauperis* ("IFP"), or (2) pay the filing fee of \$5.00. More than 30 days have passed and petitioner has not filed an IFP application or paid the filing fee. Accordingly, the action is DISMISSED without prejudice for failure to respond to the Court's order and for failure to prosecute under Federal Rule of Civil Procedure 41(b). Any motion to reopen must contain either a complete IFP application or full payment for the filing fee. The Clerk shall enter judgment in favor of respondent, and close the file.

IT IS SO ORDERED.

DATED: March 5, 2013


RICHARD SEEBORG
United States District Judge

No. C 13-0095 RS (PR)
ORDER OF DISMISSAL